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OFFICE OF PETITIONS

In re Application of Delaware	:	
Application No. 10/829,553	:	Decision on Petition
Filing Date: April 22, 2004	:	
Attorney Docket No. 0945RF-42268	:	

This is a decision on the petition under 37 CFR 1.137(b), filed December 19, 2005, to revive the above-identified application.

The petition is **granted**.

This application became abandoned for failure to timely reply within three months to the non-final Office action mailed January 31, 2005. An extension of time under the provisions of 37 CFR 1.136(a) was not obtained. Accordingly, this application became abandoned on May 1, 2005. A Notice of Abandonment was mailed on September 8, 2005.

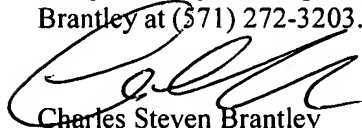
The instant petition requests revival of the application.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

The petition is signed by James Murphy, who was not an attorney of record at the time the application became abandoned. It appears that Murphy was not in a position to have firsthand or direct knowledge of the facts and circumstances of the delay. Nevertheless, the statement by Murphy that the entire delay was unintentional is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that a portion of the delay from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

Technology Center Art Unit 3617 will be informed of the instant decision and the application will be further examined in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


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